

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ETHICON ENDO-SURGERY, INC. and ETHICON )  
ENDO-SURGERY, LLC, )  
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*Plaintiffs and Counterclaim-Defendants,* ) Civil Action No. 1:16-cv-12556-  
 ) LTS  
v. )  
 )  
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COVIDIEN LP, COVIDIEN SALES LLC, and )  
COVIDIEN AG, )  
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 )  
*Defendants and Counterclaim-Plaintiffs.* )  
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**DEFENDANTS AND COUNTERCLAIM-PLAINTIFFS'**  
**MOTION FOR A PRELIMINARY INJUNCTION**

Defendants and Counterclaim-Plaintiffs Covidien LP, Covidien Sales LLC and Covidien AG (collectively, “Covidien”) hereby respectfully move for a preliminary injunction. In support of this Motion, Covidien submits the accompanying Memorandum in Support of Defendants and Counterclaim-Plaintiffs’ Motion for a Preliminary Injunction, the Declarations of John Chindlund, William Durfee, and Richard Mulloy, and exhibits cited therein.

WHEREFORE, for the reasons set forth in Covidien’s accompanying Memorandum and Declarations, this Court should enter an Order enjoining Plaintiffs and Counterclaim-Defendants Ethicon Endo-Surgery, Inc. and Ethicon Endo-Surgery, LLC from using, making, selling, offering for sale, importing, and marketing the Enseal® X1 Large Jaw device.

Dated: April 27, 2017

Respectfully submitted,

/s/ David J. Apfel

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*Attorneys for Defendants and Counterclaim-  
Plaintiffs Covidien AG, Covidien LP, and  
Covidien Sales LLC*

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)**

I hereby certify that counsel for Covidien complied with the requirements of Local Rule 7.1(A)(2) by conferring with counsel for Ethicon on April 18, 2017. Ethicon's counsel advised that they oppose this motion.

*/s/ David J. Apfel*  
David J. Apfel

**CERTIFICATE OF SERVICE**

I, David J. Apfel, certify that this document filed through the ECF system will be served on April 27, 2017 electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) and by first-class mail, postage prepaid on those identified as non-registered participants.

*/s/ David J. Apfel*  
David J. Apfel